

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ELSALENA RAHN,

Plaintiff,

v.

PIERCE COUNTY, PIERCE  
PROSECUTOR OFFICE, JUDY RAE  
JASPRICA, CORT O'CONNOR, and  
MULTICARE HEALTH SYSTEM,

Defendants.

Case No. C04-5373RJB

ORDER GRANTING  
DEFENDANT  
MULTICARE'S MOTION  
TO CONSOLIDATE THE  
FRCP 12(b)(6) MOTIONS  
OF ALL DEFENDANTS  
AND ORDER GRANTING  
PLAINTIFF'S MOTION  
FOR EXTENSION OF  
TIME

This matter comes before the court on Defendant Multicare's Motion to Consolidate the FRCP 12(b)(6) Motions of All Defendants (Dkt. 26) and on plaintiff's motion for an extension of time (Dkt. 28). The court has considered the relevant documents and the remainder of the file herein.

In this civil case, defendants Pierce County, Pierce Prosecutor's Office, Judy Rae Jasprica, and Cort O'Connor (County defendants) have filed a motion to dismiss (Dkt. 22) that is noted for consideration on the court's June 3, 2005 calendar. On May 17, 2005, defendant Multicare Health System (Multicare) filed a motion to dismiss. Dkt. 25. Multicare has also filed a motion to consolidate, requesting that the court consider both the motions (Dkts. 22 and 25) on the same date. A review of the motions shows that they should be considered together. Accordingly, Multicare's motion to consolidate should be granted.

On May 18, 2005, plaintiff filed a motion, requesting an extension of time so that she can locate counsel to represent her in these proceedings. Dkt. 28. In the interest of fairness, the court should afford plaintiff additional time to respond the motions to dismiss so that she can attempt to retain counsel.

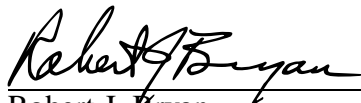
1 Plaintiff's motion for an extension of time should be granted.

2 Therefore, it is hereby

3 **ORDERED** that Defendant Multicare's Motion to Consolidate the FRCP 12(b)(6) Motions of All  
4 Defendants (Dkt. 26) is **GRANTED**. Plaintiff's motion for an extension of time (Dkt. 28) is **GRANTED**.  
5 Defendants Pierce County, Pierce County Prosecutor's Office, Judy Rae Jasprica, and Cort O'Connor's  
6 FRCP 12(b)(6) Motion to Dismiss (Dkt. 22) and Defendant Multicare Health System's FRCP 12(b)(6)  
7 Motion to Dismiss (Dkt. 25) are **RE-NOTED** for consideration on July 8, 2005. Plaintiff may file a  
8 response to the motions, either through counsel or, if she is unrepresented, on her own behalf, not later  
9 than July 4, 2005. Defendants may file a reply by July 7, 2005. The dates set in the court's March 29,  
10 2005 Second Order Regarding Initial Disclosures, Joint Status Report and Early Settlement are  
11 **STRICKEN**, and will be re-set by the court, if necessary, following the court's order on the defendants'  
12 motions to dismiss.

13 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any  
14 party appearing *pro se* at said party's last known address.

15 DATED this 26<sup>th</sup> day of May, 2005.

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17   
18 Robert J. Bryan  
United States District Judge